

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

Claims 37-38 were currently pending. By this Amendment, claims 37-38 have been amended and new claim 39 has been added. No new matter has been introduced. Therefore, after entry of these amendments, claims 37-39 will be pending, of which claims 37, 38, and 39 are independent claims.

In the Office Action, although the Examiner has removed the rejection of claims 37-39 under 35 U.S.C. 112, second paragraph, the Examiner maintained his position that claims 37 and 38 were rejected as nonstatutory subject matter under 35 U.S.C. 101, and as being anticipated under 35 U.S.C. 102(e) by U.S. Patent No. 6,249,772 to Walker et al. (“Walker”). At least for the reasons stated hereinafter, the grounds of rejection are respectfully traversed.

Applicants submit that by virtue to the changes to claims 37-38, the rejections under 35 U.S.C. 101 and 102(e) have been overcome.

The system (apparatus) of amended claim 37 includes a compensation-granting database configured to store URL information of each member store in advance, a URL rewriting unit which receives a second URL of a web page upon a user’s request, rewriting said second URL to be linked to said first URL if the second URL requested by the user has been stored in the compensation-granting database, and transmits said rewritten URL to the user terminal, a history database for storing deal information relating a deal performed by the user on said web page having said second URL, and a compensation-granting unit for granting compensation relating the deal performed by the user on said web page having said second URL based on the deal information stored in the history database. These claim recitations are supported by the embodiments disclosed in the written description and figures. (See, specification, paragraphs [00103] and [00108]; Figs. 13-24.)

The method of amended claim 38 has been similarly amended to include: pre-storing URL information of each member store in a compensation-granting database; receiving a second URL of a web page upon a user’s request; rewriting the second URL to be linked to the first URL if the second URL requested by the user has been stored in the compensation-granting database; transmitting the rewritten URL to the user terminal; storing deal information relating a deal performed by the user on the web page having the second URL in a history database; and granting compensation relating the deal performed by the user on the

web page having the second URL based on the deal information stored in the history database.

I. Non-Statutory Rejection of claims 37-38

According to MPEP §2106.02, a process consisting solely of mathematical operations, i.e., converting one set of numbers into another set of numbers, does not manipulate appropriate subject matter and thus cannot constitute a statutory process. In practical terms, claims define nonstatutory processes if they (1) consist solely of mathematical operations without some claimed practical application (i.e., executing a “mathematical algorithm”); or (2) simply manipulate abstract ideas, e.g., a bid or a bubble hierarchy, without some claimed practical application. MPEP §2106 further defines the determination whether the claimed invention is a practical application of an abstract ideas, law of nature, or natural phenomenon. That is, according to MPEP §2106, the Examiner first shall review the claim and determine if it provides a transformation or reduction of an article to a different state or thing, and then shall review whether the claim produces a useful, concrete, and tangible result.

In view of the above, Applicant respectfully submits that claims 37-38 of the subject application provide practical applications under MPEP §§2106 and 2106.02. In particular, both of claims 37 and 38 include a practical element/step for granting compensation for a deal performed on the Internet. For example, amended independent claim 37 recites a server for a compensation-granting portal site on the internet having a compensation-granting database, a URL rewriting unit, a history database, and a compensation-granting unit, and amended independent claim 38 recites a method that includes pre-storing URL information, receiving a second URL of a web page, rewriting the second URL, transmitting the rewritten URL to the user terminal, storing deal information in a history database, and granting compensation relating the deal. Such elements and limitations are specific, substantial, and credible according to MPEP §2106, and produce a “useful result.” Such elements/steps also grant a compensation, which can be considered as a tangible result. Moreover, the elements and limitations as claimed are substantially repeatable or substantially produce the same result again and meets the requirement of the concrete result. Accordingly, as the amended claimed features form a useful, tangible and concrete result, independent claims 37 and 38 have substantial practical applications.

Accordingly, Applicant respectfully submits that amended claims 37-38 are statutory subject matter under 35 U.S.C. §101.

II. Prior Art Rejection of claims 37-38

Walker, the only asserted reference, relates to a system and method that allow a customer to purchase a product at a first price and to acquire the product from a merchant that offers the product for sale at a second price. To do so, the customer logs onto a central controller via the Internet and “locks-in” a price for a product by providing his/her credit card number to the controller. The customer can then pick up the product on a local retailer store. An attendant in the store, by receiving the customer’s credit card number, can check the “lock-in” information in the Internet and complete the transaction. Walker, however, merely discloses the use of various kinds of databases. As such, Walker clearly fails to teach the claimed invention, including “compensating-granting unit for granting compensating relating the deal performed by the use on said web page having said second URL based on the deal information stored in the history database” of amended claim 37 and “granting compensation relating the deal performed by the user on the web page having the second URL based on the deal information stored in the history database” of amended claim 38.

For at least these reasons, Applicants respectfully submit that Walker fails to teach or suggest each and every feature of amended claim 37 and 38, and cannot, therefore, anticipate amended claims 37-38, or for that matter, render amended claims 37-38 unpatentable. Accordingly, claims 37-38 are not anticipated by Walker under 35 U.S.C. 102(e) and the rejection thereof should be withdrawn.

Furthermore, newly added claim 39 relates to a member store server for providing compensation to a deal that is performed by a user terminal. Applicants respectfully submit that the subject matter of newly added claim 39 can be used with the server of amended claim 37 and the method of amended claim 38 and therefore, belongs to the same specie. As the member store server recited in amended claim 39 is not found in Walker, new claim 39 is considered being patentable over Walker.

III. Conclusion

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner’s reconsideration of this application, and the immediate allowance of all pending claims.

Applicants submit that the entry of this Amendment is proper under 37. C.F.R. §1.116 as the claim changes: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not require any further consideration as the changes incorporate, in

one form or another, features that should have been already searched; and (c) places the application in better form for an Appeal, should an Appeal be necessary.

Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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